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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/551,225 | 09/28/2005 | Yasushi Hayashida | 33082M278 | 4274 |
| 441 7590 08/20/2008 SMITH, GAMBRELL & RUSSELL 1130 CONNECTICUT AVENUE, N.W., SUITE 1130 WASHINGTON, DC 20036 | | | EXAMINER PRAKASAM, RAMYA G | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Election/Restrictions

1. The reply filed on 4/30/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant failed to make a listing of claims encompassing of the elected species. See 37 CFR 1.111. Applicant's representatives stated that claims 1-28 were cancelled during the international phase by Amendment, and that only claims 29-32 are pending. However, under 35 USC 371(c)(3), amendments to claims must be filed with the United States Patent and Trademark Office. Currently, the claims that were filed with the national stage application were only Claims 1-28. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMYA G. PRAKASAM whose telephone number is (571)272-6011. The examiner can normally be reached on Monday - Thursday, 8:30am-7pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gene Crawford/
Supervisory Patent Examiner, Art Unit
3651

8/18/2008
RGP